



Dated: October 29, 2010
The following is SO ORDERED:


David S. Kennedy
UNITED STATES CHIEF BANKRUPTCY JUDGE

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TENNESSEE

In Re:
CLINTON E HAYES

Chapter 13

Debtor(s)
SSN XXX-XX-0718

Case No. 10-28261-K

Order Confirming Plan

It appearing to the Court that the debtor(s) has filed a plan which has been sent to the scheduled creditors; that at the confirmation hearing it appeared to the Court from statements of the Chapter 13 Trustee, and the entire record herein that the plan as finalized complies with 11 U.S.C.A. §1325(a) and other applicable provisions of Bankruptcy Code; and that the plan should be confirmed;

IT IS THEREFORE, ORDERED BY THE COURT:

1. That the debtor(s)' plan, which is attached hereto, is confirmed;
2. That the debtor pay into the plan as follows:

Debtor One Direct	CLINTON E HAYES	\$382.00 MONTHLY
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If this is different from the originally proposed plan, then the Trustee is ordered to enter a separate order changing payment. Furthermore, the debtor(s)' future earnings shall remain under the exclusive control of this Court. In the event of dismissal, or conversion, funds held by the Trustee shall be paid to creditors unless otherwise ordered by the court.

3. All property shall remain property of the Chapter 13 estate under §§541(a) and 1306(a) and shall revert in the debtor(s) only upon discharge pursuant to §1328(a), dismissal of the case, or specific order of the Court. The debtor(s) shall remain in possession of and in control of all property of the

estate not transferred to the Trustee, and shall be responsible for the protection and preservation of all such property, pending further orders of the Court.

4. An attorney fee is allowed in the amount of \$3,000.00. The attorney has received \$300.00 to be retained.

5. Absent a specific court order otherwise, all claims, other than those specifically provided for above, shall be paid as general unsecured debts. The percentage to be received by unsecured creditors is to be determined by the Trustee after the expiration of the 90 day bar date for the filing of claims; separate order to be entered thereon.

6. Any real estate tax claimants shall be treated as fully secured if the plan proposes to treat them as secured debts. If the debtor(s) surrender(s) any real property during the pendency of this case, the real property will no longer be property of the estate and the automatic stay shall terminate regarding interests of affected real property taxing authorities.

7. The balances of any student loans shall survive discharge if the plan indicates same.

CC: George W. Stevenson

/s/ George W. Stevenson

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Chapter 13 Trustee

S JONATHAN GARRETT ATTORNEY
1835 UNION AVENUE
SUITE 315
MEMPHIS, TN 38104

CHAPTER 13 PLAN (INDIVIDUAL ADJUSTMENT OF DEBTS)

DEBTOR(S) CLINTON E HAYES SSN XXX-XX-0718
:
BK NUMBER 10-28261-K
:5969 BENJESTOWN RD
MEMPHIS, TN 38127-1630

PLAN PAYMENT : (DEBTOR 1) \$382.00 MONTHLY - Direct Pay

METHOD OF PYMT DIRECT PAY - First payment due by September 2, 2010.

EMPLOYER(S) : CLINTON E HAYES
5969 BENJESTOWN RD
MEMPHIS, TN 38127-1630

ADMINISTRATIVE Pay filing fee, Trustee fee, and debtor's attorney fee

MONTHLY
PLAN PYMT

AUTO INSURANCE:
AUTO INSURANCE NOT INCLUDED

SPECIAL PRIORITY

JACQUELYN HAYES	ongoing pmt. begin		\$0.00
Approx. arrearage	\$0.00 Interest	0.00%	\$0.00
[Paid Outside Plan]			

HOME MORTGAGE: If no arrearage, ongoing payments deleted unless provided for:

TRUSTMARK NATIONAL BANK	ongoing pmt. begin		\$0.00
Approx. arrearage	\$0.00 Interest	0.00%	\$0.00
[Surrendered - Transferred to General Unsecured]			

TRUSTMARK NATIONAL BANK	ongoing pmt. begin		\$0.00
Approx. arrearage	\$0.00 Interest	0.00%	\$0.00
[Surrendered - Transferred to General Unsecured]			

SECURED CREDITORS:	VALUE	INT RATE	MONTHLY PLAN PYMT
[retain lien 11 U.S.C.]			
GEMB/ GE MONEY SERVICES	\$0.00	0.00%	\$0.00
[Surrendered - Transferred to General Unsecured]			
TOYOTA MOTOR CREDIT	\$0.00	0.00%	\$0.00
[Surrendered - Transferred to General Unsecured]			
NISSAN MOTOR CREDIT	\$0.00	0.00%	\$0.00
[Surrendered - Transferred to General Unsecured]			
HSBC	\$0.00	0.00%	\$0.00
[Surrendered - Transferred to General Unsecured]			
PENTECH FINANCIAL SERVICES	\$0.00	0.00	\$0.00

[Deleted Per Order]

NATIONAL CAPITAL MANAGEMENT LLC	\$0.00	0.00%	\$0.00
[Surrendered - Transferred to General Unsecured]			

UNSECURED CREDITORS: Absent a specific court order otherwise, all claims, other than those specifically provided for above, shall be paid as general unsecured debts. The percentage to be received by unsecured creditors is to be determined by the Trustee upon the expiration of the 90 day bar date for the filing of claims; separate order to be entered.

BANKCARD CENTER	\$29,899.28
RESURGENT CAPITAL SERVICES	\$778.20
DFS SERVICES LLC	\$15,550.24
DFS-SERVICES LLC	\$15,626.96
DUCKWORTH PATHOLOGY GROUP INC	\$137.00
PORTFOLIO RECOVERY ASSOCIATES	\$4,499.90
PORTFOLIO RECOVERY ASSOCIATES	\$3,212.37
HSBC BANK NEVADA NA	\$16,966.33
TOYOTA FINANCIAL SERVICES	\$689.41
NISSAN MOTOR CREDIT	\$14,396.18

[Add]

VERICREST FINANCIAL	\$48,590.85
WELLS FARGO FINANCIAL TN	\$686.59

[Add]

FIRST TENNESSEE BANK	\$30,253.66
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[Add]

TOYOTA MOTOR CREDIT CORPORATIO	\$3,032.73
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[Add]

NATIONAL CAPITAL MANAGEMENT LLC	\$788.79
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[Add]

PENTECH FINANCIAL SERVICES	\$0.00
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[Deleted Per Order]

TERMINATION: Plan shall terminate upon payment of the above, approximately 60 months.